

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED *of*
05 APR 21 PM 12:40

KATHY NEEDS and STEVE NEEDS,

ROBERT R. DI GIUO
CLERK, U.S. DIST. CT.
W.D. OF TN, MEMPHIS

Plaintiffs,

v.

Case No. 04-2034-Ma

CREATIVE RESTAURANTS, INC.,
d/b/a CREATIVE RESTAURANT
SERVICES/RUM BOOGIE CAFÉ, INC.,

Defendant.

ORDER ON JURY VERDICT

This action came on for trial before the Court and a jury on April 18, 2005, the Honorable Samuel H. Mays, Jr., U.S. District Judge, presiding.

The plaintiffs were represented by counsel, Mr. Rory Jones and Mr. Michael Whitaker. The defendant was represented by counsel, Mr. Joseph Clark and Mr. Matthew Hardin.

After hearing all proof presented, arguments of counsel and jury charge, the jury began deliberations on April 20, 2005. Thereafter, the jury returned into open court on April 20, 2005 and announced the following verdict:

1. That defendant Rum Boogie Café was negligent and that said negligence was a legal cause of Plaintiff Kathy Needs' claimed injuries and losses.

31

2. That plaintiff Kathy Needs was negligent and that said negligence was a legal cause of Plaintiff Kathy Needs' claimed injuries and losses.
3. That the percentage of fault attributed was thirty-five (35%) percent as to plaintiff Kathy Needs and sixty-five (65%) percent as to defendant Rum Boogie Café.
4. That the amount of damages sustained by plaintiff Kathy Needs is \$18,000.00 and the amount of damages sustained by plaintiff Steve Needs is Zero.

The jurors were polled individually and discharged.

The Court will not enter a final judgment in this case until all issues are resolved.

ENTERED this 21st day of April, 2005.



SAMUEL H. MAYS, JR.
UNITED STATES DISTRICT JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 31 in case 2:04-CV-02034 was distributed by fax, mail, or direct printing on April 22, 2005 to the parties listed.

J. Kimbrough Johnson
THOMASON HENDRIX HARVEY JOHNSON & MITCHELL
40 S. Main St.
Ste. 2900
Memphis, TN 38103--552

Matthew C. Hardin
THOMASON HENDRIX HARVEY JOHNSON & MITCHELL
40 S. Main St.
Ste. 2900
Memphis, TN 38103--552

Joseph M. Clark
THOMASON HENDRIX HARVEY JOHNSON & MITCHELL
40 S. Main St.
Ste. 2900
Memphis, TN 38103--552

Michael W. Whitaker
WHITAKER LAW FIRM
P.O. Box 1024
Covington, TN 38019

Rory A. Jones
LAW OFFICE OF RORY A. JONES
P.O. Box 1097
Boise, ID 83701

Honorable Samuel Mays
US DISTRICT COURT